

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James Bushman on February 14, 2008.

The application has been amended as follows:

#### **The Specification:**

In the preliminary amendment dated 3/1/04, after "09/831796," insert – now US Pat. No. 6,710,022, --.

#### **The Claims:**

In claim 3, line 1, delete "any of claims 2 or 52" and insert – claim 52 –.

In claim 4, line 1, delete "any of claims 2 or 52" and insert – claim 52 –.

In claim 6, line 1, delete "any of claims 2 or 52" and insert – claim 52 –.

In claim 7, line 1, delete "any of claims 2 or 52" and insert – claim 52 –.

In claim 9, line 1, delete "any of claims 2 or 52" and insert – claim 52 –.

In claim 11, line 1, delete "any of claims 2 or 52" and insert – claim 52 –.

In claim 17, line 1, delete "any of claims 2 or 52" and insert – claim 52 –.

In claim 32, line 1, delete "any of claims 2 or 52" and insert – claim 52 –.

In claim 33, line 1, delete "any of claims 2 or 52" and insert – claim 52 –.

In claim 34, line 1, delete "any of claims 2 or 52" and insert – claim 52 –.

In claim 35, line 1, delete "any of claims 2 or 52" and insert – claim 52 –.

In claim 36, line 1, delete "any of claims 2 or 52" and insert – claim 52 –.

In claim 52, line 36, after "lecithin" insert -- . --.

**Cancel** claims 19-22 and 25-27.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

Note that, Applicant's amendments, Applicant's arguments, and the Examiner's Amendment are sufficient to place the instant claims in condition for allowance. Additionally, Applicant agreed to cancel all non-elected species of Gemini surfactants. Of the references of record, the most pertinent is DE 19622612. '612 teaches gemini tenside surfactants and the production of such tensides. The compounds can be used with anionic, cationic, nonionic, amphoteric, as well as zwitterionic tensides. See page 10, lines 15-25. However, '612 does not teach or suggest a composition containing the combination of a specific gemini surfactant, at least two different co-amphiphiles having an HLB value of less than or equal to 6, and the other requisite components of the composition in the specific amounts as recited by the instant claims.

None of the references of record, alone in combination, teach or suggest a composition containing the combination of a specific gemini surfactant, at least two different co-amphiphiles having an HLB value of less than or equal to 6, and the other requisite components of the composition in the specific amounts as recited by the instant claims. Accordingly, since the prior art of record fails to teach or suggest such a composition as recited by the instant claims, the instant claims are deemed allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory R. Del Cotto whose telephone number is (571) 272-1312. The examiner can normally be reached on Mon. thru Fri. from 8:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on (571) 272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gregory R. Del Cotto/  
Primary Examiner, Art Unit 1796

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